

MINUTES OF THE  
ARIZONA BOARD OF TECHNICAL REGISTRATION

September 22, 2009

9:30 AM

OPEN SESSION

1. **CALL TO ORDER** - The meeting of the Board of Technical Registration was called to order at 9:34 AM by Chair Susan Schaefer Kliman.
2. **ROLL CALL** - Board Members in Attendance: Karen Cesare, Harold "Hal" Epperson, David Komm, Susan Schaefer Kliman, Howell "Chip" Shay, Erick Weiland, John Willett, and Laurie Woodall. Absent: Claudia Perchinelli. Board Staff: Ronald Dalrymple, Melissa Cornelius, Kathryn Fuller, Lisa Vardian, Manuel Maltos, and Cassie Goodwin. Assistant Attorney General: Mona Baskin.
3. **CALL TO THE PUBLIC** - No members of the public addressed the Board.
4. **ADOPTION OF MINUTES** - Mr. Shay moved to approve the August 25, 2009 minutes with a minor correction. Ms. Cesare seconded. Motion Carried.
5. **ENFORCEMENT MATTERS**
  - Review, Consideration and Possible Vote on the following:**
    - A. **Proposed Consent Agreements**
      1. M07-043, Scott T. Burden, Land Surveyor #13554 - Mr. Epperson moved accept Respondent's signed Consent Agreement encompassing the following: Amend Survey: Respondent shall amend survey and record it with the Maricopa County Recorder's Office and Cost of Investigation: Respondent shall pay cost of investigation in the amount of \$350.00. Mr. Komm seconded. After discussion, Motion Carried.
    - B. **Review and Consideration**
      1. M07-079, Rick A. Joy, Architect #13554 - Ms. Cecile Follansbee addressed the Board. Mr. Shay moved to refer this matter back to Staff to obtain a signed Consent Agreement within 30 days. If no Consent Agreement is obtained, the matter is to be referred to formal hearing before an Administrative Law Judge. Ms. Cesare seconded. After discussion, Motion Carried.
    - C. **Consideration of Possible Non-Compliance with Board Order And Consideration of Possible Non-Compliance with Consent Agreement and Order**
      1. Thomas H. Trimble, P.E. (Civil) #15620 & Land Surveyor #15343 M05-308, M05-326, M06-157, M06-175, M06-214, M06-274, M06-284, M06-285, M07-033, M07-035, M07-057, M07-075, and M07-109 - Ms. Cesare advised she had worked on a project many years ago with Mr. Trimble but has no

bias. Mr. Epperson moved to find Respondent in violation of the October 23, 2007 Board Order. He moved to refer this matter back to Staff to notify Respondent he shall provide letters of interest and current resumes from three (3) Arizona registered P.E. (Civil) engineers and three (3) Arizona registered land surveyors who have agreed to review and report on his engineering and land surveying project within 30 days. If Respondent fails to provide the requested information, the matter will be referred to formal hearing before an Administrative Law Judge for revocation. Ms. Cesare seconded. After discussion, Motion Carried.

2. M07-040 and M07-063, Donald C. Allen, Land Surveyor #39258 – Mr. Epperson moved to find Respondent in violation of the April 28, 2009 Board Order. He moved to refer this matter back to Staff to notify Respondent he shall negotiate a payment plan within 30 days and make the payments as agreed or the matter shall be referred to formal hearing before an Administrative Law Judge for revocation. Mr. Shay seconded. After discussion, Motion Carried.

#### **6. HOME INSPECTOR ENFORCEMENT MATTERS**

##### **A. Review, Consideration, and Possible Vote on the following:**

1. HI10-006, James S. Knittel, Nonregistrant – Mr. James S. Knittel addressed the Board. Mr. Shay moved to accept Respondent's signed Consent Agreement encompassing the following: Letter of Reprimand; Assurance of Discontinuance: Respondent shall practice, or by any implication hold himself out as qualified to practice as a home inspector or prepare home inspection reports as defined by A.R.S. §§ 32-101(B)(21) and (22); shall not advertise or display any card sign or other device that may indicate to the public that he is a certified home inspector, or is qualified to practice as such; and shall not assume the title of "Certified," "Professional," "Registered Professional," or Professional Registered" home inspector within the State of Arizona until he is granted registration by the Board as required by A.R.S. §32-121; Civil Penalty: Respondent shall pay a civil penalty in the amount of \$2,000.00; and Cost of Investigation: Respondent shall pay cost of investigation in the amount of \$98.00. Respondent's application for home inspector certification cannot be reviewed until he has made payment in full of the Civil Penalty and Cost of Investigation. Ms. Cesare seconded. After discussion, Motion Carried.

#### **7. DRUG LABORATORY ENFORCEMENT MATTERS**

##### **A. Review, Consideration, and Possible Vote on the following:**

1. DL08-005, Spray Systems Environmental, Inc., #11693 – Mr. Steve Beirl addressed the Board. Mr. Epperson moved to accept Respondent's signed Consent Agreement encompassing the following: Letter of Reprimand and Cost of Investigation: Respondent shall pay cost of investigation in the amount of \$292.00. Mr. Weiland seconded. After discussion, Motion Carried.

**8. Review, Consideration, and Possible Vote on the following:**

**EVALUATION OF APPLICATIONS FOR EXAMINATION AND/OR  
POSSIBLE GRANTING OF REGISTRATION OR CERTIFICATION**

**A. Registration**

1. Jason Crownholm, P.E. (Civil) Application #090868 – Mr. Willett moved to grant Mr. Crownholm P.E. (Civil) registration. Mr. Epperson seconded. After discussion, Motion Carried.
2. James Titus, Architect Application #080266 – Mr. Shay moved to accept Mr. Titus's application and grant the waiver of examination based on the Board's 10-year rule. Mr. Weiland seconded. After discussion, Motion Carried.

**B. Examination**

1. Raef Hijazi, P.E. (Mechanical) Application #090962 – Mr. Komm moved to accept Mr. Hijazi's references and allow him to take the examination. Mr. Willett seconded. After discussion, Motion Carried.

**9. Review, Consideration, and Possible Vote on the following:**

**EVALUATION COMMITTEE AND STAFF RECOMMENDATIONS AND  
POSSIBLE GRANTING OF REGISTRATION OR CERTIFICATION**

1. Granting of professional or in-training registration – Mr. Shay moved to grant those applicants registration or in-training designation as listed. Mr. Weiland seconded. Motion Carried.
2. Approval to sit for the professional or in-training examination – Mr. Shay moved to approve those applicants as listed to sit for the professional or in-training examinations. Mr. Komm seconded. Motion Carried.
3. Recommendation for denial of professional or in-training examination – Mr. Shay moved to accept Staff's recommendation and administratively deny those professional or in-training applicants as listed. Mr. Willett seconded. Motion Carried.

**10. LAPSE LIST – Mr. Shay moved to lapse the registration of the home inspectors as listed. Mr. Komm seconded. Motion Carried.**

**11. Review, Consideration, and Possible Vote on the following:**

1. Board Member Discussion regarding whether to establish an application review panel – This matter was referred back to Staff for further evaluation.
2. Board Member Discussion regarding whether to allow Architect-in-Training ("AIT") applicants to take all parts of the Examination – This matter was referred back to Staff to work with the Attorney General's office to accommodate AIT applicants to take all parts of the Examination.

**12. DIRECTOR'S REPORT – Mr. Dalrymple advised:**

**Rule Changes:**

All rule making activity is still on hold for an undetermined period. The Board is currently working with the Governor's office to see whether any of its proposed rules qualify for exemption.

**Budget:**

On September 21, 2009 there was still no signed final budget bill. However, the Board was told yesterday to prepare a projected 2010 budget reflecting a 15% decrease in our appropriation.

**Board Appointments:**

All appointments went through without any problems and this is the first meeting of the "new" Board.

**13. BOARD CHAIR'S REPORT – Dr. Schaefer Kliman welcomes the new Board members.**

**14. STANDING COMMITTEE REPORT**

1. Legislation and Rules Committee ("L&R") – Dr. Schaefer Kliman advised the L&R Committee will be meeting after the October 27, 2009 Board meeting.
2. Budget Committee – Mr. Dalrymple advised the Board will be submitting a 2010 budget reflecting 15% decrease in our appropriation.
3. Home Inspector Rules and Standards Committee ("HIRS") – Mr. Shay advised the next HIRS meeting is scheduled for October 7, 2009 and Ms. Woodall has been assigned to this committee.
4. Environmental Remediation Rules and Standards Committee ("ERRS") – Mr. Weiland advised the next meeting is scheduled for November 10, 2009.

**15. BOARD MEMBER REPORTS ON OUTSIDE ACTIVITIES**

1. National Council of Examiners for Engineering and Surveying ("NCEES") – Nothing to report.
2. National Council of Architectural Registration Boards ("NCARB") – Nothing New to report.
3. Council of Landscape Architectural Registration Boards ("CLARB") – Ms. Cesare advised she attended the annual meeting on September 10 through 12, 2009 in Seattle Washington as did Ms. Douglas and Ms. Cornelius. There has been an improvement in communication with new web site. Many Boards are worrying about budget issues, CLARB and ASLA are cooperating to prepare information on importance of licensure for LA's. Ms Douglas was honored with a standing ovation and a beautiful plaque for her 30 years of service

4. National Association of State Boards of Geology ("ASBOG") – Mr. Weiland advised he will be attending the November 5 through 7, 2009, meeting in Birmingham, Alabama.

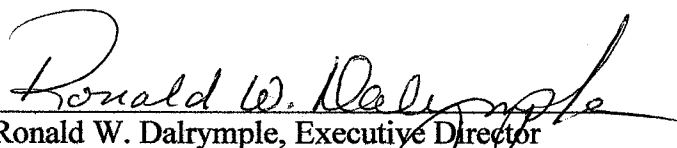
16. FUTURE BOARD MEETINGS – Tuesday, October 27, 2009 at 9:30 AM.

17. FUTURE AGENDA ITEMS  
None at this time

18. ADJOURNMENT – Meeting adjourned at 11:54 AM.

ARIZONA STATE BOARD OF TECHNICAL REGISTRATION

  
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Dr. Susan Schaefer Klman, Chair

  
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Ronald W. Dalrymple, Executive Director